

Speech by SJ at 2024 Investment Law and Investor-State Mediation Training (English only) (with photo)

Following are the welcome remarks by the Secretary for Justice, Mr Paul Lam, SC, at the 2024 Investment Law and Investor-State Mediation Training today (May 31):

Good morning, Ms Teresa Cheng (Founder Member and Co-Chairman of the Asian Academy of International Law (AAIL)), Mr Adrian Lai (Deputy Secretary General of the AAIL), trainers, participants and colleagues. As the famous Confucius saying goes, "Isn't it delightful to have friends coming from afar?" 遠道而來，不亦樂乎。 So friends from the Mainland, ASEAN countries and AALCO member states, it is my great pleasure to give you my warmest welcome to the 2024 Investment Law and Investor-State Mediation Training (ILIM) – The Mediation Module.

The ILIM

In the past decades, the rising trend of multi-lateral trade opportunities had led to the inevitable upsurge of investor-State disputes. According to the statistics published by United Nations Conference on Trade and Development, the total number of known investment treaty cases rose to over 1 300 by the end of 2023. With increasing concern on whether investor-State arbitration may be taking too long and too expensive in resolving inter-states investment disputes, how to resolve the disputes quickly while balancing the interest of various stakeholders has become a prime question. Global communities have called for cheaper and more efficient solutions to resolve investor-State disputes and, as a result, investment mediation has grown significantly.

When an investor-State dispute happens, not only is the investment of a foreign investor in jeopardy, the reputation and the future of foreign trade of the whole state may also be at stake. Mediation facilitates effective communications and could help overcome barriers arising from different legal and cultural backgrounds. In addition, the process focuses on the underlying interests and aims to assist the parties to resolve the disputes amicably, thereby preserving goodwill and long-term relationships.

Seeing the need on capacity building for investor-State mediation, since 2018, the Department of Justice, together with the Asian Academy of International Law, has organised the ILIM to offer training for mediators and state officials on how mediation is apt to resolve investor-State disputes and the practical know-how in participating in one.

Throughout these four editions of the ILIM, more than 200 participants from 38 jurisdictions have learnt from top-notch trainers and gained invaluable insights from the discussions and interactive exercises with their

fellow participants. This year, in this training for state-officials only, trainers will walk you through the mediation process and discuss possible objections to it from government and investors. In the interactive mock mediation section, you will engage in mediation process on behalf of your states including dealing with preparatory matters such as designing a mediation process and undertaking a stakeholder analysis. You will engage in negotiation and settlement of the dispute. Together with exercises on stakeholder mapping, intercultural competency and finalising a settlement agreement, after this intense two-day training, we trust that you would be able to grasp the essence of mediation, have meaningful exchange and interflow of ideas and cultures and gain mutual understanding. So brace yourself for a very eventful and informative training.

Practice mediation

The second, less quoted but perhaps equally important, saying of Confucius is, "Isn't it a pleasure to practice what you have learned?" 子曰：「学而时习之，不亦悦乎？」 This saying would best illustrate our goals for this training. The training may end after tomorrow; however, we hope the effect would be far-reaching. While surely all of you would be submerged in information about investor-State mediation, we would hope that you would practise what you will have learnt here when you bid farewell to this meaningful weekend. We hope that you would become ambassadors for mediation when you return to your office: Participate in mediation. Promote mediation. Persuade your fellow officials to consider mediation, and you will find that the benefits of mediation transcend investor-State disputes.

International Organization for Mediation

This brings me to my next point. As all of you may be aware, Hong Kong is blessed to have been chosen to host the headquarters for the International Organization for Mediation, the IOMed, which further enhances Hong Kong's role as an international hub for dispute resolution in the Asia-Pacific region. Once established, the IOMed will be an international intergovernmental organisation that provides friendly, flexible, economical and efficient mediation services for international disputes. The establishment of the IOMed shows that more and more countries are appreciating the power of mediation and would explore to use mediation to resolve disputes they encounter. Here, may I impress upon you to support the meaningful work of the IOMed by applying the mediation knowledge and skills you gain in this training.

Before I end my welcome remarks, I must extend our gratitude to our co-organiser, the Asian Academy of International Law and the esteemed trainers from the Centre for Effective Dispute Resolution, in particular Mr James South and Mr Wolf von Kumberg, and Professor TK Iu from Hong Kong. This training course would not have come into place without their very strong support. I wish this training course every success, and I hope everyone will have a fruitful experience and a pleasant stay in Hong Kong. Thank you.



[Distinctive arts on offer at LCSD parks \(with photos\)](#)

Members of the public are invited to visit the new phase of the Arts Fun Fair to be launched by the Leisure and Cultural Services Department (LCSD) at Kowloon Park from this Sunday (June 2). Visitors can enjoy the beautiful scenery of the park while appreciating a wide range of handicrafts and artworks.

The 26th phase of the Arts Fun Fair at Kowloon Park runs from June 2 until May 31 next year, and will be open from 1pm to 7pm on Sundays and public holidays at the park's Loggia. There will be 18 stalls displaying and selling craftworks including floral artworks and ornaments, as well as art services including painting and calligraphy.

The Arts Fun Fair aims at enhancing public interest in the arts and enriching the arts atmosphere in Hong Kong. It will also make the park more appealing and enjoyable for park visitors, a spokesman for the LCSD said.

"The Arts Fun Fair at Kowloon Park has been well received by the general public. In addition to the fair, other specialised facilities in the park, such as the Sculpture Walk, the Sculpture Garden and the Maze Garden, also win the hearts of visitors enjoying fun-filled weekends," the spokesman said.

In addition to the fun fair at Kowloon Park, the Arts Corner at Hong Kong Park has also commenced.

[The 24th phase of the Hong Kong Park's Arts Corner](#) is now open from noon to 6pm every Saturday, Sunday and public holiday. It will continue until December 31 at the outdoor area near the Flagstaff House Museum of Tea Ware inside the park. There are 10 stalls in operation featuring fabric crafts and ornaments as well as stalls providing arts services including painting and portrait sketching.

For enquiries, please call 2724 3344 (Kowloon Park) or 2521 5041 (Hong

Kong Park).



Occupational safety and health training courses open for applications

The Occupational Safety and Health Training Centre of the Labour Department (LD) will launch a wide range of occupational safety and health training courses from July to September in 2024. The courses aim to enhance the working population's awareness of occupational safety and health, as well as their understanding of the legal requirements and standards stipulated in occupational safety regulations.

The training courses cover a wide range of topics, including:

1. Major Safety and Health Regulations related to Industrial Accident Prevention and Their Latest Amendments
2. Safety Management Regulation cum Safety Inspection Programme and Accident/Incident Investigation
3. Confined Spaces Regulation and other Safety Regulations related to Risk Assessment
4. Major Safety Regulations related to Accident Prevention in Logistics Industry (including Storage Work)
5. Industrial Accident Cases Analysis and Related Safety Regulations cum Major Safety and Health Regulations related to Employees' Duties (with one class to be conducted in English)
6. Safety Regulations on Working in times of Inclement Weather and Hot Environment
7. A Brief Introduction to Safety Regulations and Codes of Practice related to Construction Work (including Renovation, Maintenance, Alteration and Addition Works)
8. Safety Regulations on Working at Height (including Truss-out Bamboo Scaffolds and Suspended Working Platforms) cum Codes of Practice on

Scaffolds and Suspended Working Platforms

9. Major Safety Regulations related to Accident Prevention on Lifting Work (including Tower and Mobile Cranes) cum Codes of Practice for Safe Use of Tower and Mobile Cranes (new course)
10. Loadshifting Machinery Regulation cum Safe Use of Power-operated Elevating Work Platform and Common Heavy Machinery
11. Major Safety Regulations related to Accident Prevention in Catering Trade (new course)
12. Occupational Safety and Health Ordinance and Regulation (with one class to be conducted in English)
13. Safety Regulations on Manual Handling Operations
14. Dangerous Substances Regulations
15. Health Hints on the Use of Computer cum More Exercise Smart Work
16. Occupational Stress cum Happy Workplace
17. First Aid in the Workplace
18. Strategies for the Prevention of Occupational Diseases cum Work and Healthy Lifestyle

Unless otherwise specified, the courses will mainly be conducted in Cantonese at the LD's Occupational Safety and Health Training Centre, 13/F, KOLOUR Tsuen Wan I, 68 Chung On Street, Tsuen Wan. Enrolment is free.

Employers who wish to arrange their employees to attend the courses can log in to the application website (www.oshtc.labour.gov.hk/wpas/?lang=en) or scan the QR code (see Annex) to learn about the course contents and to sign up for the courses. Interested employees can also enrol in the courses through the abovementioned channels on their own. For enquiries, please call 2940 7057.

2024 edition of "Statistical Digest of the Services Sector" published

The 2024 edition of "Statistical Digest of the Services Sector" is published by the Census and Statistics Department (C&SD) today (May 31). The publication provides up-to-date annual statistics (for year 2013 and each of the years from 2019 to 2023) and quarterly statistics (from the third quarter of 2022 to the fourth quarter of 2023) on 14 major service industries/domains of Hong Kong for the more important statistical series.

Users can download the publication at the website of the C&SD (www.censtatd.gov.hk/en/EIndexbySubject.html?pcode=B1080007&scode=520). Enquiries can be directed to the Logistics and Producer Prices Statistics Section of the C&SD (Tel: 3903 7257; email: services@censtatd.gov.hk).

Revised Code of Practice for Safety and Health at Work in Confined Spaces gazetted

The Labour Department (LD) published a revised Code of Practice for Safety and Health at Work in Confined Spaces (CoP) in the Gazette today (May 31) to enhance the safety and health in confined spaces work.

The major revisions of the CoP include the enhancement of requirements for proprietors' or contractors' supervision on confined space work; highlighting the factors for assessing whether a particular job constitutes underground pipework; adding a detailed template of the risk assessment form and listing out the setting of an air-monitoring alarm; and the update on the Permit-to-work Certificate template.

A spokesperson for the LD said, "The revised CoP requires proprietors or contractors to adopt technology to record videos at the entrance and exit of the confined space throughout the entire work period to monitor relevant personnel's compliance with the safety precautions and to keep the record. Considering the time required for the industry to furnish suitable equipment and make necessary arrangements for implementing all safety precautions, there will be a six-month grace period. It will take effect on November 30 to allow the industry to have sufficient time for preparation."

The spokesperson said that the CoP provides proprietors, contractors, competent persons and certified workers with practical guidance and technical information to comply with the requirements set out in the occupational safety and health legislation regarding confined space work for safeguarding the safety and health of workers.

The spokesperson added, "This CoP has a special legal status. In criminal proceedings, if a relevant person fails to observe any provision of this Code, that failure may be taken by the court as a relevant factor in determining whether or not a person has breached the relevant safety and health legislation."

The revised CoP can be downloaded from the LD website (www.labour.gov.hk/eng/public/content2_8b.htm). Enquiries about the CoP can be made at 2559 2297.